

REMARKS

This application has been carefully reviewed in light of the Office Action dated December 22, 2006. Claims 1 to 3, 7 to 9, 45 to 51, 67 and 68 remain pending in the application, with Claims 4 to 6, 43 and 44 having been canceled herein. Claims 1, 7, 45, 47, 49 and 67 are the independent claims herein. Reconsideration and further examination are respectfully requested.

Applicant wishes to thank the Examiner for the courtesies and thoughtful treatment accorded Applicant's undersigned representative during the March 10, 2006 telephonic interview. Although no agreement was reached, this Amendment has been prepared based on the discussions of the Office Action during that interview.

The specification was been objected to for allegedly failing to provide proper antecedence for the claimed subject matter. Specifically, during the interview, the Examiner took the position that the specification fails to provide antecedence for each of the means-plus-function elements of the claims. Applicant wholly disagrees with this assertion. Nonetheless, in an attempt to advance prosecution of the application, Applicant has chosen to cancel all claims with means-plus-function limitations since corresponding claims written in non-means-plus-function format are also included in the application and those claims are arguably broader by not being limited to embodiments disclosed in the specification and equivalents thereof. In view of the foregoing, withdrawal of the objection is respectfully requested.

Claims 4 to 6, 43 and 44 were rejected under 35 U.S.C. § 112, second paragraph, for allegedly failing to provide any link or association between the "means for" elements and corresponding structure. Similar to the foregoing objections to the specification, the means-plus-function elements of the claims have been cancelled in favor

or the non-means-plus-function claims and therefore, withdrawal of the § 112 rejections is respectfully requested.

Claims 1 to 9, 43 to 51, 67 and 68 were rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,615,234 (Adamske), Claims 1 to 9, 43 to 51, 67 and 68 were alternatively rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 5,826,244 (Huberman), Claims 1 to 9, 43 to 51, 67 and 68 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,615,234 (Adamske), and Claims 1 to 9, 43 to 51, 67 and 68 were alternatively rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 5,826,244 (Huberman). Reconsideration and withdrawal of the rejections are respectfully requested.

Initially, Applicant traverses the rejections since the Office Action simply fails to point out where any of the claimed elements are taught by the cited art. Applicant simply cannot find the claimed elements in the art and the Office Action itself fails to include any specificity of where the claimed elements are taught by the art. That is, the Office Action simply cites a reference and alleges that it teaches the claimed features, but does not point out with any particularity where the features are contained in the art. Applicant has previously traversed the rejections on this basis, but the next action still failed to point out any particular portions of the references that teach the claimed features. On the other hand, Applicant has pointed out what the art teaches and what it fails to teach. The Examiner, however, failed to address Applicants arguments any merely maintained the rejections. On this basis, Applicant simply cannot determine on what grounds the rejections are based and cannot determine how to respond. The Examiner is therefore requested to specifically point out where each reference teaches the claimed features so that Applicant can respond. Applicant should not be required to guess what portions of the references the Examiner is relying on in order to determine whether or not the Examiner's

position has merit. Nonetheless, despite Applicant's previous traversal and requests for more particularity, the Examiner has simply failed to provide specifics of the rejections.

The present invention concerns providing a print service. According to the invention, the user inputs a first print setting for provision of a first print service for the printout of image data. The user also inputs an upper limit of an amount to be paid (i.e., a charge) for the first print service. Based on the input first print setting and the upper limit amount, second print settings are determined. The second print settings are a print service that can be provided in conjunction with the first print service within the amount of the upper limit, and a print service that can be provided in conjunction with the first print service for an additional amount above the upper limit. The user can then select a print service from among the following: (a) the first print service, (b) the first print service and the second print service that can be provided within the detected amount of the upper limit, (c) the first print service and the second print service that can be provided for the additional amount above the upper limit, or (d) the first print service, the second print service that can be provided within the detected amount of the upper limit, and the second print service that can be provided for the additional amount above the upper limit. An output server is then selected in accordance with the selection made by the user.

Referring specifically to the claims, amended independent Claim 1 is directed to a computer implemented method of controlling a print service provided over a network, comprising the steps of detecting first print setting information input by a user for provision of a first print service to print out image data, detecting an upper limit of an amount designated by the user to be paid for the provision of the first print service, determining, based on the detected first print setting information input by the user and the detected amount of the upper limit to be paid for the provision of the first print service,

second print setting information for a second print service, wherein the second print service comprises at least one of a print service that can be provided in conjunction with the first print service within the detected amount of the upper limit, and a print service that can be provided in conjunction with the first print service for an additional amount above the upper limit, displaying the determined second print setting information on a display, the user selecting, from the display, one of (a) the first print service, (b) the first print service and the second print service that can be provided within the detected amount of the upper limit, (c) the first print service and the second print service that can be provided for the additional amount above the upper limit, or (d) the first print service, the second print service that can be provided within the detected amount of the upper limit, and the second print service that can be provided for the additional amount above the upper limit, and selecting an output server for the print out of the image data in accordance with the selection made by the user.

Amended independent Claims 7 and 49 are computer medium and apparatus claims, respectively, that substantially correspond to Claim 1.

Amended independent Claim 45 includes features along the lines of Claim 1, but is more specifically directed to a computer implemented print service control method for controlling a print service provided over a network, comprising the steps of detecting first print setting information input by a user for provision of a first print service to print out image data, detecting an upper limit of a charge entered by the user for provision of the first print service, determining, based on the detected first print setting information input by the user and the detected amount of the upper limit of the charge to be paid for the provision of the first print service, second print setting information for a second print service, wherein the second print service comprises at least one of a print service that can

be provided in conjunction with the first print service within the detected upper limit of the charge, and a print service that can be provided in conjunction with the first print service for an additional charge, outputting the second print setting information determined by said determining step, the user selecting, from among the output second print setting information, one of (a) the first print service, (b) the first print service and the second print service that can be provided within the detected upper limit of the charge, (c) the first print service and the second print service that can be provided for the additional charge, or (d) the first print service, the second print service that can be provided within the detected upper limit of the charge, and the second print service that can be provided for the additional charge, and selecting an output server for the print out of the image data in accordance with the selection made by the user and outputting the image data to the selected server.

Amended independent Claims 47 and 67 are computer medium and apparatus claims, respectively, that substantially correspond to Claim 45.

The applied art, alone or in any permissible combination, is not seen to disclose or to suggest the features of Claims 1, 7, 45, 47, 49 and 67, and in particular, is not seen to disclose or to suggest at least the features of 1) determining second print setting information based on first print setting information for provision of a first print service and a detected amount of an upper limit to be paid for provision of the first print service, where the second print service comprises at least one of a print service that can be provided in conjunction with the first print service within the detected upper limit of the upper limit/charge, and a print service that can be provided in conjunction with the first print service for an additional amount/charge, and 2) a user selecting one of (a) the first print service, (b) the first print service and the second print service that can be provided within a

detected amount of an upper limit to be paid for provision of the first print service, (c) the first print service and a second print service that can be provided for an additional amount above the upper limit, or (d) the first print service, the second print service that can be provided within the detected amount of the upper limit, and the second print service that can be provided for the additional amount above the upper limit.

The Office Action merely alleged that Adamske teaches detecting various types of print settings, and selecting a server. However, Adamske does not provide for the user to select from among the foregoing (a) to (d) print service options, which are based on a detected upper limit input by the user. In this regard, in Adamske, once a user has selected various print settings and delivery options, the user then inputs billing information (e.g., credit card number) to pay for the printing service. Thus, Adamske does not detect the upper limit amount and then determine second print settings so that the user can then select from among options (a) to (d). Rather, the user selects their options and then inputs the payment. Accordingly, Applicant believes that the present invention is not anticipated by Adamske, nor would it have been obvious over Adamske.

Huberman is merely seen to disclose a brokered auction service for document services. According to the patent, the system includes a customer process, a supplier process and a broker process. A customer submits a document service request (e.g., bid) and the broker process acts as an intermediary to auction the services between various suppliers. Once a price has been established, the document request can be performed by the winning bidder. Thus, while Huberman may involve print for pay services, Applicant fails to see anything in Huberman in which second print setting information is determined for a second print service in accordance with detected first print setting information for a first print service and a detected upper limit of a charge designated

by a user to be paid for the first print service. Thus, Huberman is not seen to disclose or to suggest at least the features of 1) determining second print setting information based on first print setting information for provision of a first print service and a detected amount of an upper limit to be paid for provision of the first print service, where the second print service comprises at least one of a print service that can be provided in conjunction with the first print service within the detected upper limit of the upper limit/charge, and a print service that can be provided in conjunction with the first print service for an additional amount/charge, and 2) a user selecting one of (a) the first print service, (b) the first print service and the second print service that can be provided within a detected amount of an upper limit to be paid for provision of the first print service, (c) the first print service and a second print service that can be provided for an additional amount above the upper limit, or (d) the first print service, the second print service that can be provided within the detected amount of the upper limit, and the second print service that can be provided for the additional amount above the upper limit. Accordingly, Claims 1, 7, 45, 47, 49 and 67, as well as the claims dependent therefrom, are also believed to be allowable over Huberman.

In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa,
California office at (714) 540-8700. All correspondence should continue to be directed to
our below-listed address.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'E. Kmett', is written over a horizontal line.

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